**THE STATE OF NEVADA****PERMIT TO CHANGE POINT OF DIVERSION,  
MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

Name of applicant: LYON COUNTY  
Source: UNDERGROUND  
Basin: DAYTON VALLEY  
Manner of Use: QUASI-MUNICIPAL  
Period of Use: January 1st to December 31st  
Priority Date: 02/09/1967 NEW PRIORITY DATE: DEC 11 2009

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**APPROVAL OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 23685, Certificate 8451 is issued subject to the terms and conditions imposed in said Permit 23685, Certificate 8451 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 49483, 49486, Certificate 14718; Permits 50361, 56593, Certificate 14706; Permit 58931, Certificate 14719; Permits 58932, 58933, Certificate 14720; Permits 58934, 62937, 62938, Certificate 15662; Permits 62939, 62940, 63626, 63628, 63630, 63632, 63633, 64128, 64957, 66427, 68155, 68156, 68196, 68197, 68198, 68708, 68737, 69243, 69244, 69245, 70040, 70041, 70042, 70693, 70846, 71379, 71476, 71477, 71536, 71537, 71688, 71856, 71857, 71872, 71873, 72603, 72773, 72774, 72775, 72914, 72931, 72932, 72933, 73157, 73158, 73183, 73393, 73394, 73473, 73474, 73490, 73491, 73992, 74283, 74284, 74285, 74286, 74369, 74370, 74427, 74434, 74562, 74569, 74612, 74922, 75101, 75102, 75103, 75104, 75157, 75159, 75160, 75277, 75366, 75367 and 76525 shall not exceed 9,048.82 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping this well on other previously existing wells that are located within 2,500 feet of this well. Any pumping of water in this well may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of this well, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

This permit is approved for the entire 9.8 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 7.84 acre-feet, can be diverted annually. Additional diversion up to the total 9.8 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 7.84 acre-feet to be exceeded.

This permit is issued subject to the terms and conditions set forth in State Engineer's Ruling #5823 dated March 18, 2009.

(Continued on Page 2)

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.0414 cubic feet per second or 9.8 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

August 10, 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

August 10, 2017

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 25th day of September, A.D. 2008

  
State Engineer

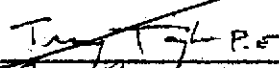
Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

11b

~~CANCELLED OCT 15 2009 BECAUSE OF  
FAILURE OF APPLICANT TO COMPLY WITH THE  
PROVISIONS OF PERMIT  
 STATE ENGINEER  
Can. Rescinded 5-10-2010~~

No. 75157

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office DEC 04 2006 NEW PRIORITY DATE: DEC 11 2009

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed OCT 29 1985 under 49483

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The applicant **LYON COUNTY** hereby makes application for permission to change the  
**Point of diversion Place of use Manner of use of a portion** of water heretofore appropriated  
under **Permit 23685 Certificate 8451**

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1. The source of water is **Underground**
2. The amount of water to be changed **0.0414 cfs 9.8 AF**
3. The water to be used for **Quasi-Municipal**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 24, T. 16 N., R. 21 E., M.D.B.&M., or at a point from which the NW corner of said Section 24 bears N. 62° 14' 42" W., a distance of 3116.0 feet. (Well D-2)**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 12, T. 16 N., R. 21 E., M.D.B.&M., or at a point from which the E $\frac{1}{4}$  corner of Section 1, T. 16 N., R. 21 E., M.D.B.&M., bears N. 18° 44' 30" E., a distance of 5328.50 feet.**
7. Proposed place of use **PLEASE REFER TO EXHIBIT "A"**
8. Existing place of use **PLEASE REFER TO EXHIBIT "B"**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **March 1st to October 1st** of each year.
11. Description of proposed works **Existing drilled and cased well, pump, motor, meter and distribution system.**
12. Estimated cost of works **\$92,000.00±**
13. Estimated time required to construct works **Existing drilled and cased 12-inch diameter to a depth of 404 feet. Completed under Permit 39883**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**

75157

15. Remarks: For Existing Point of Diversion and Place of Use, please refer to map filed in support of Application 23685. For Proposed Point of Diversion, please refer to map filed in support of Application 49483. For Proposed Place of Use, please refer to map filed in support of Application 74922. This water will be used for future will-serve requirements for APN 16-281-10 (Nelson & Teresa Tenbroek).

By CHUCK ZIMMERMAN  
s/ Chuck Zimmerman  
3264 Goni Road, Suite 153  
Carson City, Nevada 89706

Compared mt/bk

Protested Yes

Pro. Overruled 3/18/2008 See Ruling #5823

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**EXHIBIT "A"****Question #7 – Proposed Place of Use****T.16 N., R.20 E., M.D.B. & M.:**

All of Section 24; E $\frac{1}{2}$ , those portions of NW $\frac{1}{4}$  and SW $\frac{1}{4}$  Section 25 lying within Lyon County, the portion of the NE $\frac{1}{4}$  Section 36 lying within Lyon County.

**T. 16 N., R. 21 E., M.D.B. & M.:**

All of Section 1; SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 2; All of Section 11; All of Section 12; All of Section 13; All of Section 14; All of Section 19; All of Section 20; All of Section 23; All of Section 24; All of Section 26; All of Section 27; All of Section 28; All of Section 29; All of Section 30; N $\frac{1}{2}$ , the portion of the S $\frac{1}{2}$  Section 31 lying within Lyon County; N $\frac{1}{2}$  Section 32; N $\frac{1}{2}$  Section 33; N $\frac{1}{2}$  Section 34; N $\frac{1}{2}$  Section 35.

**T. 16 N., R. 22 E., M.D.B. & M.:**

All of Section 3; All of Section 4; All of Section 5, All of Section 6; All of Section 7; All of Section 8; All of Section 9; N $\frac{1}{2}$  Section 16; All of Section 17; All of Section 18; All of Section 19; All of Section 20.

**T. 17 N., R. 21 E., M.D.B. & M.:**

SE $\frac{1}{4}$ , those portions of the SW $\frac{1}{4}$ , NW $\frac{1}{4}$  and NE $\frac{1}{4}$  Section 36 lying within Lyon County.

**T. 17N., R. 22 E., M.D.B. & M.:**

The portion of the S $\frac{1}{2}$  Section 21 lying within Lyon County; S $\frac{1}{2}$ , the portion of the N $\frac{1}{2}$  Section 22 lying within Lyon County; All of Section 27; All of Section 28 lying within Lyon County; SE $\frac{1}{4}$ , those portions of the SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$  Section 29 lying within Lyon County; the portion of the S $\frac{1}{2}$  Section 30 lying within Lyon County; S $\frac{1}{2}$ , NE $\frac{1}{4}$ , the portion of the NW $\frac{1}{4}$  Section 31 lying within Lyon County; All of Section 32; All of Section 33; All of Section 34; All of Section 35.

In addition to the above described Place of Use, it is the intent of these applications to provide water service to the entire Lyon County/Dayton Utilities service area as determined by the Lyon County Public Works Director. If in the future, some other entity is determined to have that authority, the Place of Use of this permit shall be pursuant to that authority's determination of the service area.

EXHIBIT "B"

Permit 23685  
Question 8 - Existing Place of Use:

6acres in the	SW¼	NE¼	of Section 12, T. 16 N., R. 21 E., M.D.B. & M.						
32 " " "	SE¼	NE¼	"	"	"	"	"	"	"
38 " " "	NE¼	SE¼	"	"	"	"	"	"	"
4 " " "	NW¼	SE¼	"	"	"	"	"	"	"
6 " " "	SE¼	SE¼	"	"	"	"	"	"	"
11 " " "	NW¼	NW¼	"	"	7	"	22	"	"
19 " " "	NE¼	NW¼	"	"	"	"	"	"	"
38 " " "	NW¼	NE¼	"	"	"	"	"	"	"
18 " " "	NE¼	NE¼	"	"	"	"	"	"	"
10 " " "	SW¼	NE¼	"	"	"	"	"	"	"
16 " " "	SE¼	NW¼	"	"	"	"	"	"	"
33 " " "	SW¼	NW¼	"	"	"	"	"	"	"
31 " " "	NW¼	SW¼	"	"	"	"	"	"	"
4 " " "	NE¼	SW¼	"	"	"	"	"	"	"
266 acres total									

Note: 2.45 Acres to be stripped in the SE¼ NE¼ Section 12 T. 16 N., R. 21 E., M.D.B. & M.